

1 **JOHN F. MARTIN, ESQ. (SBN 52618)**
2 **MATTHEW S. YERGOVICH, ESQ. (SBN 236389)**
3 **LAW OFFICES OF JOHN F. MARTIN**
4 A Professional Corporation
5 3100 Oak Road, Suite 230
6 Post Office Box 5331
7 Walnut Creek, CA 94596
8 Telephone: (925) 937-5433
9 Facsimile: (925) 938-5567

10 Attorneys for Plaintiff
11 SEAN SHAFIQUE

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 SEAN SHAFIQUE,

Case No. C05-3662-CRB

15 Plaintiff,

16 v.

STIPULATION AND ~~(PROPOSED)~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE

17 BAYER CORPORATION; and BAYER
18 CORPORATION DISABILITY PLANS,

19 Defendants.
20 _____ /

STIPULATION

The parties hereby stipulate and respectfully request this Court issue an Order continuing the Case Management Conference scheduled for December 16, 2005 until January 13, 2006 or sometime thereafter. Good cause exists to continue this hearing because (1) Defendants' counsel did not receive the CMC order either due to administrative/secretarial error or office equipment malfunction; (2) Defendants' counsel has a conflicting medical appointment on the scheduled CMC date; (3) the parties have certain holiday obligations; and (4) the parties agree on all the points in the Case Management Statement and Order.

DATED: December 9, 2005

LAW OFFICES OF JOHN F. MARTIN

A Professional Corporation

By: /s/

MATTHEW S. YERGOVICH
Counsel for Plaintiff

DATED: December 9, 2005

THE LOUDERBACK LAW FIRM

By: /s/

JEROME SCHREIBSTEIN
Counsel for Defendants

ORDER CONTINUING CASE MANAGEMENT CONFERENCE

The Case Management Conference scheduled for December 16, 2005 shall be continued, and is rescheduled for January 13, 2006.

IT IS SO ORDERED:

DATED: Dec. 12, 2005

THE HONOR

